

Amendment No. 2 to SB1823

**Herron
Signature of Sponsor**

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1823*

House Bill No. 1656

By adding the following new sections to precede the effective date section:

SECTION _____. Tennessee Code Annotated, Section 55-8-101, is amended by deleting subdivision (39) in its entirety and by substituting instead the following language:

(39) "Pedestrian" means any person afoot or using a wheelchair;

SECTION _____. Tennessee Code Annotated, Section 55-8-138, is amended by deleting such section in its entirety and by substituting instead the following language:

(a) Where sidewalks are provided, it is unlawful for any pedestrian to walk or use a wheelchair along and upon an adjacent roadway.

(b) Where sidewalks are not provided, unless subsection (d) is applicable, any pedestrian walking along and upon a highway shall, when practicable, walk only on the left side of the roadway or its shoulder facing traffic which may approach from the opposite direction.

(c) Where sidewalks are not provided, unless subsection (d) is applicable, any person using a wheelchair along and upon a highway shall, when practicable, use the wheelchair on the left side of the roadway or its shoulder facing traffic which may approach from the opposite direction. Provided, a person using a wheelchair along and upon a highway may use the wheelchair on the right side of the roadway or its shoulder if it is convenient or reasonably necessary for travel by such person.

(d) Nothing in this section shall allow any pedestrian to be upon:

(A) Any highway which is a part of the national system of interstate and defense highways;

(B) Any highway having a speed limit of fifty-five miles per hour (55 mph) or more; or

(C) Any highway within the jurisdiction of a county or municipality when which such governing body has otherwise prohibited pedestrians.

(e) A violation of this section is a Class C misdemeanor.